

08/945144

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Atty. Docket # 108

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INTERNATIONAL APPL. NO.: PCT/FR96/01125 :

INTERNATIONAL FILING DATE: 07/18/96 :

APPLICANT: MICHEL LEBRUN ET AL :

SERIAL NO: : ART UNIT:

FILED: : EXAMINER:

FOR: "MUTATED 5-ENOL PYRUVYLSHIKI-
MATE-3-PHOSPHATE SYNTHASE, GENE CODING
FOR SAID PROTEIN AND TRANSFORMED
PLANTS CONTAINING SAID GENE" :

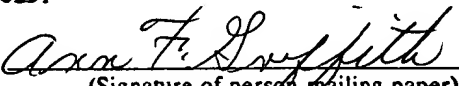
Hon. Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

"Express Mail" No.: EI841020925 US

Date: OCTOBER 14, 1997

I hereby certify that this paper, along with any other paper or fee referred to in this paper as being transmitted herewith, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, postage prepaid, on the date indicated above, addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

-Ann F. Griffith -
(Typed or printed name of mailing paper or fee)


(Signature of person mailing paper)

**TRANSMITTAL OF APPLICATION PAPERS
TO U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. §371
(CFR 1.494 OR 1.495)**

This Transmittal Letter is based upon PTO Form 1390 (as revised in May, 1993).

The above-identified applicant(s) (jointly with their assignee) have filed an International Application under the P.C.T. and hereby submit(s) to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay.
4. ☒ A proper Demand for International Preliminary Examination (IPE) was made to the appropriate Authority (IPEA) by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. §371(c)(2)) --
- a. ☐ is transmitted herewith (required when not transmitted by International Bureau).
 - b. ☐ has been transmitted by the International Bureau. See WIPO Publication WO 97/04103.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A (verified) translation of the International Application into the English language is enclosed.
7. ☐ Amendments to the (specification and) claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- a. ☐ are transmitted herewith (required if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
 - e. ☐ will be submitted with the appropriate surcharge.
8. ☐ A translation of the amendments to the claims (and/or the specification) under PCT Article 19 (35 U.S.C. §371(c)(3)) is enclosed or will be submitted with the appropriate surcharge.

9. ☒ An oath or declaration/power of attorney of the inventor(s) (35 U.S.C. §371(c)[4]) will follow.
☐ and is attached to the translation of (or a copy of) the International Application.
☐ and is attached to the substitute specification.

10. ☒ A translation of at least the Annexes to the IPE Report under PCT Article 36 (35 U.S.C. §371(c)[5]) will follow.

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 is enclosed.
12. ☒ An Assignment will follow for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 will follow.
13. ☒ A FIRST preliminary amendment is enclosed.
A SECOND or SUBSEQUENT preliminary amendment is enclosed.
14. ☐ A substitute specification (including claims, abstract, drawing) is enclosed.
15. ☐ A change of power of attorney and/or address letter is enclosed.
16. ☒ Other items of information:

- ☒ This application is being filed pursuant to 37 CFR 1.494(c) or 1.495(c), and any missing parts will be filed before expiration of--

☐ 22 months from the priority date under 37 CFR 1.494(c), or

☒ 32 months from the priority date under 37 CFR 1.495(c).

- ☒ The undersigned attorney is authorized by the International applicant and by the inventors to enter the National Phase pursuant to 37 CFR 1.494(c) or 1.495(c).

The following additional information relates to the International Application:

- ☒ Receiving Office: France
- ☒ IPEA (if filing under 37 CFR 1.495): EPO
- ☒ Priority Claim(s) (35 USC §§ 119, 365):
French Appln. 95/08979 filed July 19, 1995.
- ☒ A copy of the International Search Report is

☐ enclosed.

☒ attached to the copy of the English Translation of the
International Application.

☐ A copy of the Receiving Office Request Form is enclosed.

The fee calculation is set forth on the next page of this Transmittal Letter.

FEE CALCULATION SHEET

☒ A check in payment of the filing fee, calculated as follows, is attached (37 CFR 1.492).

Basic Fee..... \$ 930.00

Total Number of claims in
excess of (20) times \$22.....

Number of independent claims
in excess of (3) times \$82..... -0-

Fee for multiple dependent
claims \$270..... -0-

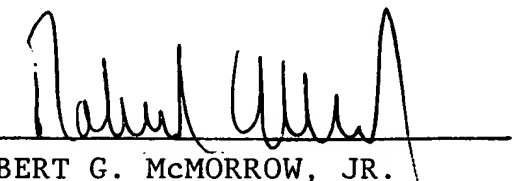
TOTAL FILING FEE... \$ 930.00

Kindly send us the official filing receipt.

The Commissioner is hereby authorized to charge any additional fees which may be required or to credit any overpayment to Deposit Account No. 03-2775. This is a "general authorization" under 37 CFR 1.25(b), except that no automatic debit of the issue upon allowance is authorized. An additional copy of this page is attached.

Respectfully submitted,

By



ROBERT G. McMORROW, JR.
Reg. No. 30,962

CONNOLLY & HUTZ

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To Follow:

Declaration

Assignment

Trans. of IPEA Report
into English

RGM/afg

Enclosures

Specification and Claims

Preliminary Amendment

Check for \$930.00

Copy of Notification of Additional Inventor

Copy of Demand (Ch.II)/ 5

Acceptance

IPEA REPORT (In French)

WIPO NOTICE (PCT/IB/332)